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APR 22 2002

TECH CENTER 1600/2900

Raw Sequence Listing Error Summary

ERROR DETECTED

SUGGESTED CORRECTION

SERIAL NUMBER: 09/522,278A

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1 Wrapped Nucleic
Wrapped Aminos
The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."
- 2 Invalid Line Length
The rules require that a line not exceed 72 characters in length. This includes white spaces.
- 3 Misaligned Amino
Numbering
The numbering under each 5th amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
- 4 Non-ASCII
The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
- 5 Variable Length
Sequence(s) contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.
- 6 PatentIn 2.0
"bug"
A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s). Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
- 7 Skipped Sequences
(OLD RULES)
Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence:
(2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
(i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)
(xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
This sequence is intentionally skipped
Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
- 8 Skipped Sequences
(NEW RULES)
Sequence(s) missing. If Intentional, please insert the following lines for each skipped sequence.
<210> sequence id number
<400> sequence id number
000
- 9 Use of n's or Xaa's
(NEW RULES)
Use of n's and/or Xaa's have been detected in the Sequence Listing.
Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.
In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
- 10 Invalid <213>
Response
Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence
- 11 Use of <220>
Sequence(s) missing the <220> "Feature" and associated numeric identifiers and responses.
Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section.
(See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)
- 12 PatentIn 2.0
"bug"
Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
- 13 Misuse of n
n can only be used to represent a single nucleotide in a nucleic acid sequence. N is not used to represent any value not specifically a nucleotide.

JUN 28 2002

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App

RAW SEQUENCE LISTING
ERROR REPORT



BIOTECHNOLOGY
SYSTEMS
BRANCH

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APR 22 2002

TECH CENTER 1600/2901

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/522,278A
Source: 1600
Date Processed by STIC: 4/15/02

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JUN 28 2002

TECH CENTER 1600/2900

#16/Raw
Seg.
Error

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.1 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<http://www.uspto.gov/ebc/efs/downloads/documents.htm>), EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
Or
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002

COPY



1600
Does Not Comply
Corrected Diskette Needed

RAW SEQUENCE LISTING
PATENT APPLICATION: US/09/522,278A

DATE: 04/15/2002
TIME: 09:51:05

Input Set : A:\Sequence Listing.txt
Output Set: N:\CRF3\04152002\I522278A.raw

```

3 <110> APPLICANT: Phogen, Limited
5 <120> TITLE OF INVENTION: Delivery of Substance to Cell
7 <130> FILE REFERENCE: 5759-54451
9 <140> CURRENT APPLICATION NUMBER: 09/522,278A
C--> 10 <141> CURRENT FILING DATE: 2000-05-09
12 <160> NUMBER OF SEQ ID NOS: 12
14 <170> SOFTWARE: PatentIn version 3.1
16 <210> SEQ ID NO: 1
17 <211> LENGTH: 20
18 <212> TYPE: DNA
19 <213> ORGANISM: synthetic construct
21 <400> SEQUENCE: 1
22 ccccccaccac ttcccccttc
25 <210> SEQ ID NO: 2
26 <211> LENGTH: 40
27 <212> TYPE: DNA
28 <213> ORGANISM: synthetic construct
30 <400> SEQUENCE: 2
31 tcctcgccct tgctcaccat ggtggcgacc ggtggatccc
34 <210> SEQ ID NO: 3
35 <211> LENGTH: 20
36 <212> TYPE: DNA
37 <213> ORGANISM: synthetic construct
39 <400> SEQUENCE: 3
40 cccttgctca ccatggtggc
43 <210> SEQ ID NO: 4
44 <211> LENGTH: 25
45 <212> TYPE: DNA
46 <213> ORGANISM: synthetic construct
48 <400> SEQUENCE: 4
49 accatggtgg cgaccggtgg atccc
52 <210> SEQ ID NO: 5
53 <211> LENGTH: 20
54 <212> TYPE: DNA
55 <213> ORGANISM: synthetic construct
57 <400> SEQUENCE: 5
58 cccttgctca ccatggtggc
61 <210> SEQ ID NO: 6
62 <211> LENGTH: 20
63 <212> TYPE: DNA
64 <213> ORGANISM: synthetic construct
66 <400> SEQUENCE: 6
67 ccccccaccac ttcccccttc

```

The type of errors shown exist throughout
the Sequence Listing. Please check subsequent
sequences for similar errors.

- invalid response,
See error summary sheet item 10

20

40

20

25

20

20

COPY

RAW SEQUENCE LISTING
 PATENT APPLICATION: US/09/522,278A

DATE: 04/15/2002
 TIME: 09:51:05

Input Set : A:\Sequence Listing.txt
 Output Set: N:\CRF3\04152002\I522278A.raw

70 <210> SEQ ID NO: 7
 71 <211> LENGTH: 131
 72 <212> TYPE: DNA
 73 <213> ORGANISM: synthetic construct
 75 <400> SEQUENCE: 7
 76 gatcctatgg ggcagggtggg acggcagctc gccatcatcg gggacgacat caaccgacgc 60
 78 tatacggtatcccgatccatcgatgt cgtccccat gatggcgagc tgccgtccca 120
 80 cctggcccat g 131
 83 <210> SEQ ID NO: 8
 84 <211> LENGTH: 36
 85 <212> TYPE: RNA
 86 <213> ORGANISM: synthetic construct
 88 <400> SEQUENCE: 8
 89 guuuuuccug augaggccga aaggccgaaa uucucc 36
 92 <210> SEQ ID NO: 9
 93 <211> LENGTH: 20
 94 <212> TYPE: DNA
 95 <213> ORGANISM: synthetic construct
 97 <400> SEQUENCE: 9
 98 ccccccaccac ttcccccttc 20
 101 <210> SEQ ID NO: 10
 102 <211> LENGTH: 17
 103 <212> TYPE: DNA
 104 <213> ORGANISM: synthetic construct
 106 <400> SEQUENCE: 10
 107 ccacaccgac ggcgcc 17
 110 <210> SEQ ID NO: 11
 111 <211> LENGTH: 20
 112 <212> TYPE: DNA
 113 <213> ORGANISM: synthetic construct
 115 <400> SEQUENCE: 11
 116 tccccctgt gacatgcatt 20
 119 <210> SEQ ID NO: 12
 120 <211> LENGTH: 301
 121 <212> TYPE: PRT
 122 <213> ORGANISM: herpes simplex virus 1
 124 <400> SEQUENCE: 12
 126 Met Thr Ser Arg Arg Ser Val Lys Ser Gly Pro Arg Glu Val Pro Arg
 127 1 5 10 15
 130 Asp Glu Tyr Glu Asp Leu Tyr Tyr Thr Pro Ser Ser Gly Met Ala Ser
 131 20 25 30
 134 Pro Asp Ser Pro Pro Asp Thr Ser Arg Arg Gly Ala Leu Gln Thr Arg
 135 35 40 45
 138 Ser Arg Gln Arg Gly Glu Val Arg Phe Val Gln Tyr Asp Glu Ser Asp
 139 50 55 60
 142 Tyr Ala Leu Tyr Gly Gly Ser Ser Ser Glu Asp Asp Glu His Pro Glu
 143 65 70 75 80
 146 Val Pro Arg Thr Arg Arg Pro Val Ser Gly Ala Val Leu Ser Gly Pro
 147 85 90 95

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RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/522,278A

DATE: 04/15/2002

TIME: 09:51:05

Input Set : A:\Sequence Listing.txt

Output Set: N:\CRF3\04152002\I522278A.raw

150 Gly Pro Ala Arg Ala Pro Pro Pro Ala Gly Ser Gly Gly Ala Gly
151 100 105 110
154 Arg Thr Pro Thr Thr Ala Pro Arg Ala Pro Arg Thr Gln Arg Val Ala
155 115 120 125
158 Thr Lys Ala Pro Ala Ala Pro Ala Ala Glu Thr Thr Arg Gly Arg Lys
159 130 135 140
162 Ser Ala Gln Pro Glu Ser Ala Ala Leu Pro Asp Ala Pro Ala Ser Thr
163 145 150 155 160
166 Ala Pro Thr Arg Ser Lys Thr Pro Ala Gln Gly Leu Ala Arg Lys Leu
167 165 170 175
170 His Phe Ser Thr Ala Pro Pro Asn Pro Asp Ala Pro Trp Thr Pro Arg
171 180 185 190
174 Val Ala Gly Phe Asn Lys Arg Val Phe Cys Ala Ala Val Gly Arg Leu
175 195 200 205
178 Ala Ala Met His Ala Arg Met Ala Ala Val Gln Leu Trp Asp Met Ser
179 210 215 220
182 Arg Pro Arg Thr Asp Glu Asp Leu Asn Glu Leu Leu Gly Ile Thr Thr
183 225 230 235 240
186 Ile Arg Val Thr Val Cys Glu Gly Lys Asn Leu Leu Gln Arg Ala Asn
187 245 250 255
190 Glu Leu Val Asn Pro Asp Val Val Gln Asp Val Asp Ala Ala Thr Ala
191 260 265 270
194 Thr Arg Gly Arg Ser Ala Ala Ser Arg Pro Thr Glu Arg Pro Arg Ala
195 275 280 285
198 Pro Ala Arg Ser Ala Ser Arg Pro Arg Arg Pro Val Glu
199 290 295 300

COPY

VERIFICATION SUMMARY

PATENT APPLICATION: US/09/522,278A

DATE: 04/15/2002

TIME: 09:51:06

Input Set : A:\Sequence Listing.txt

Output Set: N:\CRF3\04152002\I522278A.raw

L:10 M:271 C: Current Filing Date differs, Replaced Current Filing Date

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: O'Hare et al.

Art Unit: 1635

Application No. 09/522,278

CERTIFICATE OF MAILING

Filed: March 9, 2000

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on June 18, 2002 as First Class Mail in an envelope addressed to: U.S. PATENT AND TRADEMARK OFFICE, BOX SEQUENCE, P.O. BOX 2327, ARLINGTON, VA 22202.

For: DELIVERY OF SUBSTANCES TO CELLS

Examiner: Jane Zara

Date: June 18, 2002



Susan Alpert Siegel, Ph.D.
Agent for Applicants

STATEMENT IN COMPLIANCE WITH 37 C.F.R. § 1.821(f)

U.S. PATENT AND TRADEMARK OFFICE
BOX SEQUENCE, P.O. BOX 2327
ARLINGTON, VA 22202

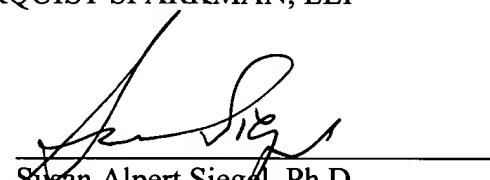
Sir:

In compliance with 37 C.F.R. § 1.821(f), the undersigned declares that the nucleotide and/or amino acid sequences presented in the paper copy of the "Sequence Listing" submitted herewith are the same as the sequences contained in the computer-readable form of said "Sequence Listing." No new matter has been added.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By



Susan Alpert Siegel, Ph.D.
Registration No. 43,121

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